

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JASON WILLAM DOBBS, et al.,

Plaintiff,

v.

DARIN BALAAM, et al.,

Defendants.

Case No.: 3:25-cv-00202-MMD-CLB

ORDER

(ECF No. 4)

I. DISCUSSION

Plaintiff Jason William Dobbs initiated this case with an application to proceed *in forma pauperis*, as well as a civil rights complaint that he filed on behalf of himself and another inmate plaintiff named Antonio Acosta. (ECF Nos. 1, 1-1). Acosta did not sign the complaint or file his own application to proceed *in forma pauperis*. (ECF No. 1-1 at 17). Dobbs also filed a motion for appointment of counsel in which he stated that Acosta is currently housed at Northern Nevada Correctional Center. (ECF No. 1-2 at 4). Dobbs subsequently filed a motion requesting an extension for Acosta to file an application to proceed *in forma pauperis*. (ECF No. 4).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is

1 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
2 **inmate's prison or jail trust fund account statement for the previous six-month**
3 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2.

4 The Prison Litigation Reform Act (“PLRA”) directs that “if a prisoner brings a civil
5 action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full
6 amount of a filing fee.” 28 U.S.C. § 1915(b)(1). Thus, *in forma pauperis* status does not
7 relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate
8 can pay the fee in installments. See 28 U.S.C. § 1915(b). Because Dobbs and Acosta are
9 both prisoners, they must each pay the full \$405 filing fee or file an application to proceed
10 *in forma pauperis*. And, even if Dobbs and Acosta are each granted *in forma pauperis*
11 status, they will each be required to pay their own \$405 filing fee in installments.

12 Under Rule 11 of the Federal Rules of Civil Procedure, a plaintiff who is not
13 represented by counsel is required to sign any pleading, including the complaint. Fed. R.
14 Civ. P. 11(a). Furthermore, *pro se* litigants have no authority to represent anyone other
15 than themselves. See *Cato v. United States*, 70 F.3d 1103, 1105 n.1 (9th Cir. 1995); *C.E.*
16 *Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987).

17 Dobbs cannot represent Acosta, and Acosta must sign every pleading filed on his
18 behalf, including the complaint and any motions pertaining to him. Because Acosta did
19 not sign the request for an extension of time to file an application to proceed *in forma*
20 *pauperis*, the Court cannot consider the request. The Court denies the request without
21 prejudice. Acosta cannot proceed in this case unless he personally signs a copy of the
22 complaint, and either pays the \$405 filing fee or files his own application to proceed *in*
23 *forma pauperis*. The Court will give Acosta until **July 11, 2025**, to file a complete
24 application to proceed *in forma pauperis*, as well as a signed copy of the complaint.

25 **II. CONCLUSION**

26 IT IS THEREFORE ORDERED that the request for an extension for plaintiff
27 Antonio Acosta to file an application to proceed *in forma pauperis* (ECF No. 4) is DENIED

1 without prejudice.

2 IT IS FURTHER ORDERED that, no later than **July 11, 2025**, Acosta either pay
3 the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with
4 all three required documents: (1) a completed application with the inmate's two signatures
5 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
6 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
7 previous six-month period.

8 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND a courtesy
9 copy of this order, the complaint (ECF No. 1-1), the approved form application to proceed
10 *in forma pauperis* for an inmate, and instructions for the same to plaintiff Antonio Acosta
11 at Northern Nevada Correctional Center.

12 IT IS FURTHER ORDERED that, if Acosta fails to timely comply with this order, he
13 may be dismissed from this case without prejudice. A dismissal without prejudice would
14 allow Acosta to initiate his own case when he can file an application to proceed *in forma*
15 *pauperis* and file a signed complaint.

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17 DATED THIS 12th day of May 2025.

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20 UNITED STATES MAGISTRATE JUDGE
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